## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

WILLIAM A. LUCAS	A. LUCAS-BEY,		
	Petitioner,	)	
v		)	1:07CV275
ANTHONY HATHAWAY	, III,	)	
	Respondent.	)	

## JUDGMENT

## Eliason, Magistrate Judge

For the reasons set out in a Memorandum Opinion and Order entered contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that Respondent's motion to dismiss (docket no. 4) is granted, that the habeas petition (docket no. 1) is denied, and that this action be, and the same hereby is, dismissed.

IT IS FURTHER ORDERED AND ADJUDGED that finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is denied.

United States Magistrate Judge

November 20, 2007